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May 31, 2013

Hon. Frederic Block, USDJ
Magistrate Robert M. Levy
United States District Court
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 10007

Re: Patricio Vicente Arteaga Berrezueta and Azuncion Alejandro Ullaguari Suarez, **plaintiffs**
v. Royal Crown Pastry Shop, Inc., Magnifico Catering, Inc., Royal Crown Pastry Shop II,
Inc., Royal Crown Bakery, Inc., Paneantico Bakery Café, Inc., Frank Generoso, Joseph
Generoso, Franco Generoso and Teresa Generoso, **defendants**

United States District Court, Southern District of New York
Docket No.: 12CV4380 (FB)(RML)

Honorable Sirs:

This office represents defendants ROYAL CROWN PASTRY SHOP II, INC., ROYAL CROWN BAKERY, PANEANTICO BAKERY CAFÉ, INC., JOSEPH GENEROSO, MAGNIFICO CATERING, INC., ROYAL CROWN ANTICO PANIFICIO, INC., FRANCO (a/k/a GIAN-FRANCO a/k/a JOHN FRANCO) GENEROSO and TERESA GENEROSO in the above referenced matter.

At the recent telephone conference between counsel for the parties and Honorable Magistrate Levy, in addition to resolving several issues regarding discovery, I respectfully informed the Court that some of my clients, namely, Gian-Franco Generoso and Teresa Generoso, and the corporate entities they represent, Magnifico Catering, Inc., and Royal Crown Antico Panificio, were being uncooperative with my efforts to obtain the documents necessary to provide proper responses to Plaintiff's Interrogatories and Demand for Production of Document. Based on the same, I filed my second motion to withdraw as counsel for these entities.

Yesterday, while I was attending the deposition of Concetta Generoso on behalf of

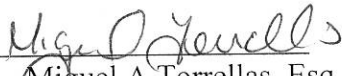
defendant Royal Crown Bakery at the offices of Plaintiffs' counsel, Gian-Franco Generoso and Teresa Generoso came to my offices with some of the corporate documents requested by Plaintiffs, and asked my superior that this office continue to represent them. This morning I was able to confirm that with their accountant that he is forwarding to me tax returns for the corporate entities which were also requested by Plaintiffs' counsel.

Based on their representations, I have been instructed to withdraw the motion to be relieved as counsel for these parties. As such, please be advised that this office hereby withdraws its recently filed Motion to Withdraw as counsel for MAGNIFICO CATERING, INC., ROYAL CROWN ANTICO PANIFICIO, FRANCO (a/k/a GIAN-FRANCO a/k/a JOHN FRANCO) GENEROSO and TERESA GENEROSO. We will be providing Initial Disclosures for these defendants forthwith and will provide the outstanding discovery for these entities forthwith, in any event, by the end of next week. I will also be in touch with Plaintiffs' counsel to schedule the depositions of these individuals on their own behalf and on behalf of the corporate entities they represent.

It appears that the parties will not need to amend the discovery schedule agreed to at the last conference any further; as such, there will be no delay in moving forward with this matter. I humbly apologize again for any inconvenience this circumstance has caused the Court and Plaintiff's counsel. I do not anticipate having to file a third motion to withdraw, given the pattern of these clients.

Very truly yours,

Polizzotto & Polizzotto, LLC

By: 
(Miguel A Torrellas, Esq.)

MAT:abms

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